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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,032	06/26/2001	Naoyuki Ogino	81784.0239	3402

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EXAMINER

INOA, MIDYS

ART UNIT	PAPER NUMBER
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2188

DATE MAILED: 03/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,032

Applicant(s)

OGINO, NAOYUKI

Examiner

Midys Inoa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☒ Claim(s) 4 and 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy was filed on June 27th, 2001.

Drawings

2. The drawings filed on June 27th, 2001 have been accepted by the examiner.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Signal Processing Circuit for Optical Disk Player Having a Shared Memory for both an Anti-Shock Mechanism and a CD-ROM Decoder".

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear how the memory can be used entirely for either decoding the CD-ROM data or for storing the audio data when in Claim 1 it is set forth that both types of data (decoding data and audio data) are stored in the same memory.

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Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

7. Claims 1-2 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee (US 2002/0001267 A1).

Regarding Claims 1-2, Lee teaches a disk player with a decoding unit 360 (“CD ROM decoder”), an anti-shock memory controller 350, and a buffer memory 370 (“a memory”, Page 2, Column 2, Paragraph 0032, and Figure 3). In this disk player’s system, the decoder unit uses the buffer memory to decode data of various formats from the CD. The system’s anti-shock memory controller also uses the buffer memory to store data output from the digital signal processor to be used when an anti-shock function is needed by passing the data to the multiplexor, allowing for the data to be outputted without interruptions (Page 3, Column 1, Paragraphs 0039 and 0040). It is understood that for the anti-shock controller and the decoder unit to use the buffer memory simultaneously, this memory must be divided in a way that allows each mechanism to have an area dedicated for its use.

Regarding Claim 5, Lee teaches a disk player with a decoding unit which includes a CD ROM decoder and an MP3 decoder. When the disk player wants to reproduce an optical disk in

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CD-ROM format, the CD ROM decoder decodes the data and outputs this data to the MP3 decoder (Page 3, Column 1, Paragraph 0040).

Allowable Subject Matter

8. Claims 4 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Lee teaches an anti-shock memory controller and a decoder unit (both CD-ROM decoder and MP3 decoder) linked to the buffer memory through an address bus and a data bus (see Figure 3). However, Lee does not teach the use of a selection circuit for selecting either a signal from the decoder unit or from the anti-shock controller.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Watanabe et al. (5,818,801), Shockproof Optical Reproduction Device.

Nakamura et al. (5,508,983), Optical Disk Player with Shockproof Controller and Method of Processing Reproduction Data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Midys Inoa whose telephone number is (703) 305-7850. The examiner can normally be reached on M-F 7:00am - 4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on (703) 305-3821. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Midys Inoa.

Midys Inoa
Examiner
Art Unit 2188

MI
February 27, 2003

Reginald G. Bragdon
REGINALD G. BRAGDON
PRIMARY EXAMINER